

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

JONATHAN R., minor, by Next)
Friend SARAH DIXON, *et al.*)
)
Plaintiffs,)
)
v.) No. 3:19-cv-00710-JRG
)
JIM JUSTICE, in his official capacity as)
the Governor of West Virginia, *et al.*)
)
Defendants.)

**UNOPPOSED MOTION FOR AMENDED ORDER GOVERNING THE
INADVERTENT DISCLOSURE OF DOCUMENTS OR OTHER MATERIAL
UNDER RULE 502(b)**

To facilitate procedures in the event of any inadvertent production of privileged or confidential documents by either Party, the Parties have agreed to the language for an amended order governing the inadvertent disclosure of documents or other material pursuant to Federal Rule of Evidence 502(b) and Federal Rule of Civil Procedure 26(b). Defendants attach as Exhibit A the proposed amended order on the inadvertent disclosure from the Southern District of West Virginia.

Pursuant to Local Rule of Civil Procedure 26.4(a), parties must move only for good cause to deviate from the form clawback orders provided by the Southern District of West Virginia. The Parties agree that the proposed amended order will facilitate time-efficient document production by addressing procedures related to the use of predictive coding (technology-assisted review) to aid in the review and production of voluminous amounts of ESI.

October 27, 2023

Respectfully submitted,

Attorneys for Defendants

/s/ Philip J. Peisch

Philip J. Peisch (WVSB #13731)

Julia M. Siegenberg, *pro hac vice*

Caroline M. Brown, *pro hac vice*

Brown & Peisch PLLC

1225 19th Street NW, Suite 700

Washington, DC 20036

/s/ Steven R. Compton

Steven R. Compton (WVSB #6562)

West Virginia Attorney General's Office

812 Quarrier Street, 2nd Floor

Charleston, WV 25301